

REMARKS

This Amendment is submitted prior to continued examination of the present application and is responsive to the final action dated August 4, 2006. Claims 1-75 were pending in the application. In the final action, claims 1-75 were rejected. In this Amendment, claims 3, 7, and 11 have been canceled, and claims 1, 5, 9, 13, 34 and 55 have been amended. Claims 1, 2, 4-6, 8-10, and 12-75 thus remain for consideration.

Applicant submits that claims 1, 2, 4-6, 8-10, and 12-75 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

\$102 and \$103 Rejections

Claims 1, 3, 5, 7, 13-17, 20, 22, 23, 32-38, 41, 43, 44, 53 and 54 were rejected under 35 U.S.C. §102(e) as being anticipated by Higurashi (U.S. Patent No. 6,879,772).

Claims 25, 26, 46 and 47 were rejected under 35 U.S.C. §102(e) as being anticipated by Horton et al. (U.S. Patent No. 4,945,563).

Claims 2 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Higurashi as applied to claims 1 and 5, and in view of Horton, and further in view of Horlander et al. (U.S. Patent No. 6,507,953).

Claims 4, 8, 31 and 52 were rejected under 35 U.S.C. §103(a) as being unpatentable over Higurashi as applied to claims 1 and 5, and further in view of Tsutsumi (U.S. Patent No. 5,737,477).

Claims 9-12 were rejected for the same reasons as discussed in connection with claims 1-4, respectively, and further in view of Lang (U.S. Patent No. 5,164,839).

Claims 18, 19, 21, 39, 40 and 42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Higurashi and further in view of Horton.

Claims 24, 27, 45 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Higurashi as applied to claim 22, and further in view of Alten et al. (U.S. Patent No. 5,781,246).

Claims 28-30 and 49-51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Higurashi as applied to claim 13, and further in view of Horlander.

Claims 55-75 were rejected for the same reasons as discussed in connection with claims 13-33, respectively, and further in view of Lang.

Claims 3, 7, and 11 have been cancelled, thereby rendering their rejections moot.

Applicant submits that the independent claims (claims 1, 5, 9, 13, 34 and 55) are patentable over Higurashi, Horton, Horlander, Tsutsumi, Alten and Lang.

Applicant's invention as recited in the independent claims is directed toward an information processing device, an information processing method and a recording medium having stored thereon a computer program for implementing the method. The claims recite that the information processing involves identifying whether or not copy protect data is present in a program that a person wants to use or view, analyzing any such copy protect data, and controlling a display to display information regarding any such copy protect data. Each of the claims further recites that when the analysis of the copy protect data indicates that analog recording requires payment of a fee, the display is controlled to display a message indicating that analog recording requires payment of a fee. Supporting disclosure for displaying a message indicating that analog recording requires payment of a fee can be found in the specification at, for example, paragraphs [0071] and [0072], and Fig. 12.

Since neither Higurashi, Horton, Horlander, Tsutsumi, Alten nor Lang discloses controlling a display to display a message indicating that analog recording requires payment of a fee when an analysis of copy protect data indicates that analog recording requires payment of a fee, Applicant believes that claims 1, 5, 9, 13, 34 and 55 are patentable over Higurashi, Horton, Horlander, Tsutsumi, Alten and Lang - taken either alone or in combination - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant believes that dependent claims 2-4, 6-8, 10-12, 14-33, 35-54 and 56-75 are patentable over Higurashi, Horton, Horlander, Tsutsumi, Alten and Lang for at least the same reasons as discussed in connection with the independent claims.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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